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7 **UNITED STATES DISTRICT COURT**  
8 **DISTRICT OF NEVADA**

9 HERMAS LAZO,  
10 #1067631,

11 *Petitioner,*

12 vs.

13 WARDEN, *et al.*,

14 *Respondents.*  
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2:13-cv-01205-JCM-VCF

ORDER

16 This habeas matter under 28 U.S.C. § 2254 comes before the court on petitioner's  
17 application (#3) to proceed *in forma pauperis*.

18 The pauper application is incomplete. Under 28 U.S.C. § 1915(a)(2) and LSR1-2 of  
19 the local rules, a petitioner must attach both a properly executed financial certificate and an  
20 inmate account statement for the past six months. The financial certificate was not completed  
21 and executed by an authorized officer, and plaintiff did not submit an inmate account  
22 statement. He must attach both an executed financial certificate and an inmate account  
23 statement.

24 The application therefore will be denied without prejudice. Petitioner either must pay  
25 the \$5.00 filing fee or file a properly completed pauper application within thirty (30) days of  
26 entry of this order.

27 IT THEREFORE IS ORDERED that petitioner's application (#1) to proceed *in forma*  
28 *pauperis* is DENIED without prejudice.

1 IT FURTHER IS ORDERED that petitioner shall have thirty (30) days within which to  
2 either pay the \$5.00 filing fee or file a new and properly completed application to proceed *in*  
3 *forma pauperis* together with a properly executed financial certificate and an inmate account  
4 statement.

5 If petitioner fails to either pay the filing fee or submit a properly completed new pauper  
6 application with all required attachments within thirty (30) days, the action will be dismissed  
7 without further advance notice. This is the last advance notice that petitioner will receive prior  
8 to a dismissal of this action. If petitioner files another incomplete pauper application, the  
9 action will be dismissed.

10 The clerk of court shall SEND petitioner two copies of an *in forma pauperis* application  
11 form for incarcerated persons along with one copy of the instructions for same.

12 DATED: November 15, 2013.

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JAMES C. MAHAN  
United States District Judge  
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